

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ERIN GURSSLIN,

Plaintiff,

vs.

THE CITY OF ROCHESTER, a municipal entity,  
POLICE OFFICER JEREMY NELLIST, POLICE  
OFFICER JOSHUA KELLY, COMMANDER  
FABIAN RIVERA, LIEUTENANT AARON  
SPRINGER,

Defendants.

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**DECLARATION OF  
PEACHIE L. JONES, ESQ.**

Case No. 20-cv-6508

Peachie. L. Jones, Esq., declares and says,

1. I am a Municipal Attorney for the City of Rochester, admitted to practice law before this court, and represent Defendants City of Rochester, Ethan Paszko, Ryan Castrichini, Domenic Borrelli, and Jeremy Robinson (collectively “Defendants”) in this action.

2. I submit this Declaration in support of Defendants’ Opposition to Plaintiff’s Motion for Leave to Amend Pursuant to Rule 15(a)(2).

3. The information set forth herein is based upon my personal knowledge, a review of the proceedings in this action, and a review of relevant case law.

4. On January 10, 2022, the parties filed a Stipulated Protective Order in *Dempsey v. City of Rochester et al* (19-cv-6780). Exhibit E.

5. On March 23, 2022, the parties scheduled a deposition for Aaron Springer for May 3, 2022. On March 30, 2022, Plaintiff’s counsel requested to reschedule it.

6. On July 5, 2022, Plaintiff’s counsel sent a 30(b)(6) notice to Defendants in *Dempsey v. City of Rochester et al* (19-cv-6780). Exhibit F. The parties discussed the scope of the depositions via email and in a meeting, but were unable to agree to a narrower scope.

7. On July 19, 2022, Plaintiffs sent a second Request for Productions. (See also ECF 36-24.)  
8. On September 19, 2022, Plaintiff's counsel said we need to go to trial. (Email attached as Exhibit G.)

9. On Monday, October 31, Defendants' counsel emailed a proposed joint letter to Plaintiff's counsel regarding an extension of discovery for the purposes of depositions, and suggested dates on which to schedule outstanding depositions. (Exhibit A includes the email and the attached letter.)

10. Throughout that week, counsel for both parties emailed back-and-forth in two separate emails chains, in an effort to schedule depositions for Rochester Police Department ("RPD") officers McClellan, Ken, Kelly, Nellist; Plaintiff Erin Gursslin; and former RPD officers Rivera and Springer.

11. The parties have yet to schedule depositions with former RPD Officer Springer, but. (Exhibit B and C contain those email chains.)

12. On Friday (November 4), Defendants' counsel emailed a revised joint letter. (Exhibit D contains the email and attached letter). Plaintiff's counsel designed to consent to it.

13. On Monday, November 7, 2022, Plaintiff sent a third Request for Productions (Exhibit H), Interrogatories (Exhibit I), and a Notice for a Rule 30(b)(6) deposition (Exhibit J).

Dated: November 9, 2022

  
Peachie L. Jones  
Peachie L. Jones, Esq.